

§ 69.155 Per-minute residual inter-connection charge.

(a) Local exchange carriers may recover a per-minute residual inter-connection charge on originating access. The maximum such charge shall be the lower of:

(1) The per-minute rate that would recover the total annual residual inter-connection charge revenues permitted less the portion of the residual inter-connection charge allowed to be recovered under § 69.153; or

(2) The sum of the local switching, carrier common line and residual inter-connection charges assessed on originating minutes on December 31, 1997, minus the local switching charges assessed on originating minutes, less the maximum amount allowed to be recovered under § 69.154(a).

(b) To the extent that paragraph (a) of this section prohibits a local exchange carrier from recovering all of the residual interconnection charge revenues permitted, the residual may be collected through a per-minute charge on terminating access.

(c) Any charge assessed pursuant to paragraphs (a) or (b) of this section shall be assessed only upon minutes utilizing the local exchange carrier's local transport service.

[62 FR 31938, June 11, 1997; 62 FR 40460, July 29, 1997]

§ 69.156 Marketing expenses.

(a) Local exchange carriers shall recover marketing expenses that are allocated to the common line and traffic sensitive baskets, and the switched services within the trunking basket pursuant to §§ 32.6610 of this chapter and 69.403.

(b) The expenses described in paragraph (a) of this section may be recovered from non-primary residential subscriber lines, by increasing the end user common line charge described in § 69.152(e). The amount of marketing expenses permitted to be recovered in this manner shall be the total marketing expenses described in paragraph (a) of this section divided by the sum of non-primary residential lines and multi-line business lines. In no event shall the end user common line charge for these lines exceed the lower of the

ceilings established in § 69.152 (b)(3) and (e)(2)(ii).

(c) The expenses described in paragraph (a) of this section may be recovered from multi-line business subscriber lines, by increasing the end user common line charge described in § 69.152(b). The amount permitted to be recovered in this manner shall be the total marketing expenses described in paragraph (a) of this section divided by the sum of non-primary residential lines and multi-line business lines. In no event shall the end user common line charge for these lines exceed the ceiling established in § 69.152(b)(3).

(d) In the event that the ceilings set forth in paragraphs (b) and (c) of this section, and § 69.153(d) prevent a local exchange carrier from recovering fully the marketing expenses described in paragraph (a) of this section, the local exchange carrier may recover the remainder through a per-minute assessment on originating access minutes, so long as the charge for originating access does not exceed the amount defined in § 69.155(a)(2) less the maximum permitted to be recovered under § 69.155(a).

(e) In the event that the ceilings set forth in paragraphs (b), (c) and (d) of this section, and § 69.153(d) prevent a local exchange carrier from recovering fully the marketing expenses described in paragraph (a) of this section, the local exchange carrier may recover the remainder through a per-minute assessment on terminating access minutes.

(f) The amount of marketing expenses that may be recovered each year shall be adjusted in accordance with the price cap rules set forth in part 61 of this chapter.

§ 69.157 Line port costs in excess of basic, analog service.

To the extent that the costs of ISDN line ports, and line ports associated with other services, exceed the costs of a line port used for basic, analog service, local exchange carriers may recover the difference through a separate monthly end user charge.

EFFECTIVE DATE NOTE: At 62 FR 48486, Sept. 16, 1997, subpart C formerly consisting of §§ 69.201, 69.203, 69.204, 69.205, and 69.209 was

Federal Communications Commission

§ 69.157

removed effective Jan. 1, 1998. For the convenience of the user, the superseded text is set forth as follows:

Subpart C—Computation of Charges for Price Cap Local Exchange Carriers

§ 69.201 General.

Notwithstanding §§ 69.4, 69.104, 69.106, and 69.111 through 69.112, charges for the access elements described in this subpart shall be computed in accordance with this subpart during the period commencing January 1, 1984 and ending December 31, 1992. This subpart does not supersede § 69.106 (c) through (e).

[54 FR 6293, Feb. 9, 1989]

§ 69.203 Transitional end user common line charges.

(a) Except as provided in §§ 69.104 and 69.204, the End User Common Line charge for single line business subscribers, single line residential subscribers, and multi-line residential subscribers shall be the lesser of the charge computed in § 69.104(c) or \$2 per line per month until June 30, 1987; \$2.60 per line per month during the period from July 1, 1987 through November 30, 1988; \$3.20 per line per month during the period from December 1, 1988 through March 31, 1989; and \$3.50 per month thereafter.

(b) The End User Common Line charge for each subscriber line used for Centrex-CO service that was in place or on order as of July 27, 1983, shall be the lesser of the charge computed in § 69.104(c) of \$3 per line per month until June 30, 1987; \$4 per line per month during the period from July 1, 1987 through November 30, 1988; \$5 per line per month for the period from December 1, 1988 through March 31, 1989; and \$6 per line per month thereafter.

(c) No charge shall be assessed for any WATS access line.

(d) Except as provided in paragraphs (f) and (g), the End User Common Line charge for single line and multi-line residential subscribers shall be \$1 per month per line during the June 1, 1985—May 31, 1986 period and \$2 per month per line after May 31, 1986.

(e) The End User Common Line charge for each multi-party subscriber shall be assessed as if such subscriber had subscribed to single-party service.

(f) Until December 31, 1997, the End User Common Line charge for a residential subscriber shall be 50% of the charge specified in paragraphs (d) and (e) if the residential local exchange rate for such subscribers is reduced by an equivalent amount, provided that such local exchange service rate reduction is based upon a means test that is subject to verification.

(g)(1) Paragraphs (g)(1) and (g)(2) are effective until December 31, 1997. The End User

Common Line charge for residential subscribers shall be reduced to the extent of the state assistance as calculated in paragraph (g)(2) of this section, or waived in full if the state assistance equals or exceeds the residential End User Common Line Charge under the circumstances described below. In order to qualify for this waiver, the subscriber must be eligible for and receive assistance or benefits provided pursuant to a narrowly targeted telephone lifeline assistance plan requiring verification of eligibility, implemented by the state or local telephone company. A state or local telephone company wishing to implement this End User Common Line reduction or waiver for its subscribers shall file information with the Commission Secretary demonstrating that its plan meets the criteria set out in this section, and showing the amount of state assistance per subscriber as described in paragraph (g)(2) of this section. The reduction or waiver of the End User Common Line Charge shall be available as soon as the Commission certifies that the state or local telephone plan satisfies the criteria set out in this subsection, and the relevant tariff provisions become effective.

(2)(i) The state assistance per subscriber shall be equal to the difference between the charges to be paid by participating subscribers and those to be paid by other subscribers for comparable monthly local exchange service, service connections and customer deposits, except that benefits or assistance for connection charges and deposit requirements may only be counted once annually. In order to be included in calculating the state assistance, such benefits must be for a single telephone line to the household's principal residence.

(ii) The monthly state assistance per participating subscriber shall be calculated by adding the amounts calculated in paragraphs (g)(2)(ii) (A) and (B) of this section.

(A) The amount of the monthly state assistance per participating subscriber for local exchange service charges shall be calculated by dividing the annual difference between the charges paid by all participating subscribers for residential local exchange service and the amount which would have been charged to non-qualifying subscribers for comparable service by twelve times the number of subscribers participating in the state assistance program. Estimates may be used when historic data is not available.

(B) The amount of the monthly state assistance for service connections and customer deposits per participating subscriber shall be calculated by determining the annual amount of the reductions in these charges for participating subscribers each year, and dividing this amount by twelve times the number of participating subscribers. Estimates may be used when historic data is not available.